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EARNEST RUFF
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9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 EARNEST RUFF

15 Defendant.
16
17

Case No. 1:21-cr-00183-DAD-BAM

STIPULATION AND ORDER TO CONTINUE
STATUS CONFERENCE

DATE: April 13, 2022

TIME: 1:00 p.m.

JUDGE: Hon. Barbara A. McAuliffe

18 IT IS HEREBY STIPULATED by and between the parties hereto, through their
19 respective counsel, that the hearing currently scheduled for January 12, 2022, may be continued
20 to April 13, 2022, at 1:00 p.m. for further status conference before the Honorable Barbara A.
21 McAuliffe.

22 Defense has been attempting to obtain information regarding a prior out of state
23 conviction for Mr. Ruff in order to properly evaluate and advise him of the potential applicable
24 sentencing guidelines. Additionally, defense would request the additional time to engage in plea
25 negotiations with the government as well as to conduct other defense investigation.

26 The parties agree that, pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(i) and
27 (iv), time should be excluded through and including April 13, 2022, because there is good cause
28 for the requested continuance and the ends of justice outweigh the interest of the public and the

1 defendant in a speedy trial.

2 Respectfully submitted,

3 PHILLIP TALBERT
4 Acting United States Attorney

5 DATED: December 22, 2021

By: /s/ Justin J. Gilio
JUSTIN J. GILIO
Assistant United States Attorney
Attorney for Plaintiff

8 HEATHER E. WILLIAMS
9 Federal Defender

10 DATED: December 22, 2022

By: /s/ Charles J. Lee
CHARLES J. LEE
Assistant Federal Defender
Attorneys for Defendant
EARNEST RUFF

14 **ORDER**

15 IT IS SO ORDERED that the status conference in the above-entitled case shall be
16 continued from January 12, 2022 to **April 13, 2022, at 1:00 p.m., before the Honorable**
17 **Barbara A. McAuliffe**, for further status conference. The time period through and including
18 April 13, 2022, is deemed excludable pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and 3161(h)(7)(B)(i)
19 and (iv) because it results from a continuance granted by the Court at defendant's request on the basis
20 of the Court's finding that the ends of justice served by taking such action outweigh the best interest
21 of the public and the defendant in a speedy trial.

22 IT IS SO ORDERED.

23
24 Dated: **December 22, 2021**

/s/ **Barbara A. McAuliffe**
UNITED STATES MAGISTRATE JUDGE